



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/961,365	09/25/2001	Kazumasa Ayukawa	P21475	5941
7055	7590	01/26/2005	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C.			CHARLES, MARCUS	
1950 ROLAND CLARKE PLACE			ART UNIT	PAPER NUMBER
RESTON, VA 20191			3682	

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MAILED
JAN 26 2005
GROUP 1600
1600

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/961,365
Filing Date: September 25, 2001
Appellant(s): AYUKAWA ET AL.

Bruce H. Bernstein
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed November 08, 2004.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

The brief does not contain a statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief. Therefore, it is presumed that there are none. The Board, however, may exercise its discretion to require an explicit statement as to the existence of any related appeals and interferences.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is correct.

(7) *Grouping of Claims*

The rejection of claims 1-4 and 6 stand or fall together because appellant's brief does not include a statement that this grouping of claims does not stand or fall together and reasons in support thereof. See 37 CFR 1.192(c)(7).

(8) *ClaimsAppealed*

The copy of the appealed claims contained in the Appendix to the brief is correct.

JP 05-83516 Yasuhito et al. 12-1993

(10) *Grounds of Rejection*

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-4 and 6 are rejected under 35 U.S.C. 103 (a). This rejection is set forth in a prior Office Action, mailed on May 11, 2004.

(11) Response to Argument

Applicant indicated that claims 1-4 and 6 define over the prior art because the prior art do not teach or suggest the torsion coil spring is attached eccentrically to the axial center of the base, in which one end of the coil spring is connected to the base and the other end of the torsion coil spring is connected to the rocking arm, so that a first damping force acting on the rocking arm when the belt is tensioned is relatively larger than a second damping force acting on the rocking arm when the belt is slack.

Applicant further stated that the amount of the damping force is amplified by the eccentricity the coil spring. In response, it should be noted that JP (05-83516) to Yasuhito et al. and Kotzab clearly disclosed the spring is eccentric to the axial center of the base. Note the axial center of the base of Kotzab is not necessarily the rotational center and thus the axial center is an imaginary line passing through the symmetrical center of the base. In reference to Kotzab, the axial center of the base is offset from the rotational center of the base and it can be seen that the spring is concentric to the

rotational center but eccentric to the axial center. In addition, since the axial center of the base does not coincide with the rotational center the maximum spring force will be directed to the arm. It should also be noted the damping force is a function of the frequency and the frequency is a function of the load. Thus, when the load increases the twisting angle and the frequency increases and thus the damping force increases. Therefore, when the belt is tight the load on the arm increases resulting a larger damping force on the arm. It is known that when the belt is slack the load on the arm decreases thus the frequency decreases resulting a lower damping force.

In addition, it should be noted when the belt is under tension the angle of rotation of the arm increases the reaction to the torsion spring and thus the damping force also becomes larger (see U S Patent 6,332,374 to Someda et al, (col. 5, lines 25-30)).

Regarding argument to claim 2, that the prior art do not teach the arm is movably attached to the base. It should be noted that both Yasuhito et al. and Kotzab clearly disclose the arm movably attached via a fastener to the base.

For the above reasons, it is believed that the rejection to claims 1-4 and 6 should be sustained.

Respectively Submitted

January 19, 2005

Conferes
DB: *[initials]*
WJ: *[initials]*

GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clark Place
Reston, VA 20191

PRIMARY EXAMINER
MARCUS CHARLES

Charles
MARCUS CHARLES
PRIMARY EXAMINER

January 24, 2005